

31854 US PTO 10/775337  
021104***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***13281 U.S.PTO  
021104

Applicant: Andre JESTIN et al.

Title: CIRCOVIRUS SEQUENCES ASSOCIATED WITH PIGLET WEIGHT LOSS DISEASE (PWD)

Prior Appl. No.: 09/514,245

Prior Appl.

Filing Date: 02/28/2000

Examiner: Unassigned

Art Unit: Unassigned

**CONTINUING PATENT APPLICATION  
TRANSMITTAL LETTER**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

[ X ] Continuation [ ] Division [ ] Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

[ ] Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

[ X ] Specification, 12 Claims, and Abstract (89 pages).

[ X ] Formal drawings (29 sheets, Figures 1-16).

[ X ] Copy of Declaration and Power of Attorney from U.S. Application No. 09/514,243 (Docket No. 065691/176) (5 pages).

- [ X ] Copy of Notice of Recordation and Assignment of the invention to AGENCE FRANCAISE DE SECURITE SANITAIRE DES ALIMENTS (5 pages).
- [ X ] Application Data Sheet (37 CFR § 1.76) (6 pages).
- [ X ] Sequence Listing (106 pages).
- [ X ] On page 86 of the specification, after the last sentence but before the first word on page 87 of the specification, enter the Sequence Listing (106 pages) which is attached to a separate paper filed concurrently herewith but considered part of this amendment.
- [ X ] Statement regarding submission of Sequence Listing (1 page).
- [ X ] Notice of Copied Claims (2 pages).
- [ X ] Information Disclosure Statement (2 pages).
- [ X ] PTO Form 1449 (1 page).
- [ X ] U.S. Patent No. 6,571,843 (31 pages).

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total Claims:	12	- 20	= 0	x \$18.00	= \$0.00
Independents:	2	- 3	= 0	x \$86.00	= \$0.00
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
				SUBTOTAL:	= \$770.00
[ ] Small Entity Fees Apply (subtract ½ of above):				=	\$0.00
				TOTAL FILING FEE:	= \$770.00

- [ ] A check in the amount of 0 to cover the filing fee is enclosed.
- [ X ] The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- [ ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated,

Patent  
Atty. Dkt. No. 065691-0344

otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 2/11/14

FOLEY & LARDNER  
Customer Number: 22428  
Telephone: (202) 672-5569  
Facsimile: (202) 672-5399

By   
SEAN A. PASSINO  
Stephen B. Maebius  
Attorney for Applicant  
Registration No. 35,264

(45943)  
FOL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Andre JESTIN et al.

Title: CIRCOVIRUS SEQUENCES ASSOCIATED WITH PIGLET WEIGHT LOSS DISEASE (PWD)

Appl. No.: Unassigned

Filing Date: 02/11/2004

Examiner: Unassigned

Art Unit: Unassigned

**NOTICE OF COPIED CLAIMS**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Claims 1-12 of the present application parallel claims from U.S. Patent 6,517,843, (enclosed for consideration) issued 11 February 2003. *See, e.g.,* the '843 patent, claims 1-6. Each claim's patentability is now being studied. Applicants respectfully submit that support for each claim may be found, *e.g.,* in the specification as filed.

It is believed that claims of the '843 patent would correspond to count(s) based on pending claims 1-12 of this application. Applicants are contemplating preparing a request for interference to be submitted at a later date.

Each of claims 1-12 was entered into the present application on 11 February 2004, one year after the issuance of the '843 patent. Thus, each claim is not barred by 35 U.S.C. § 135(b).

Respectfully submitted,

Date 2/11/04

FOLEY & LARDNER  
Customer Number: 22428  
Telephone: (202) 672-5569  
Facsimile: (202) 672-5399

By Stephen B. Maebius (45943)  
*Sean A. Passino*  
Stephen B. Maebius  
Attorney for Applicants  
Registration No. 35,264

Enclosure: U.S. Patent 6,517,843